

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

KEVIN OTTO,

Plaintiff,

**8:15-cv-772
(GLS/CFH)**

v.

**NATHAN KENYAN, NY State Trooper,
*et al.***

Defendants.

APPEARANCES:

OF COUNSEL:

FOR THE PLAINTIFF:

KEVIN OTTO
Plaintiff, *Pro Se*
170 Tanglewood Drive
Colchester, Vermont 05446

FOR THE DEFENDANTS:

HON. ERIC T. SCHNEIDERMAN
New York State Attorney General
The Capitol
Albany, New York 12224

KELLY L. MUNKWITZ
SHANNAN COLLIER
KRASNOKUTSKI
Assistant Attorney Generals

**Gary L. Sharpe
Senior District Judge**

ORDER

The above-captioned matter comes to this court following an Report-
Recommendation and Order by Magistrate Judge Christian F. Hummel,

duly filed on December 21, 2016. (Dkt. No. 36.) Following fourteen days from the service thereof, the Clerk has sent the file, including any and all objections filed by the parties herein.

No objections having been filed, and the court having reviewed the Report-Recommendation and Order for clear error, it is hereby

ORDERED that the Report-Recommendation and Order (Dkt. No. 36) is **ADOPTED** in its entirety; and it is further

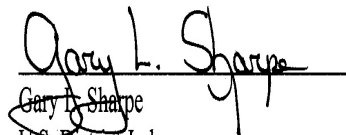
ORDERED that defendant's motion to dismiss (Dkt. No. 34) is **GRANTED** and plaintiff's complaint is **DISMISSED** in its entirety with prejudice; and it is further

ORDERED that the Clerk is directed to close the case; and it is further

ORDERED that the clerk provide a copy of this Order to the parties in accordance with the court's Local Rules of Practice.

IT IS SO ORDERED.

January 11, 2017
Albany, New York



Gary L. Sharpe
U.S. District Judge